

BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
WASHINGTON, D.C.

**RECEIVED**

**NOV 17 1998**

In the Matter of )

**Amendment of Section 73.202(b),  
Table of Allotments,  
FM Broadcast Stations.**

**Belfield, North Dakota**

MM Docket No.                       
RM-                     

To: Chief, Allocations Branch, Mass Media Bureau

**PETITION FOR RULE MAKING**

High Plains Broadcasting, Inc. ("HPBI"), by its attorneys and pursuant to Section 1.401 of the Commission's Rules, respectfully requests that the Commission institute a rule making proceeding to allot Channel 230C1 to Belfield, North Dakota.

As set forth in the attached Technical Exhibit, which is incorporated by reference herein, this proposal will serve the public interest. The allotment of Channel 230C1 to Belfield, North Dakota, will provide that community with its first local aural transmission service. Belfield, a census designated city of 887 persons, see 1990 *Census of Population and Housing, North Dakota* at 37 (1993), is located 20 miles west of Dickinson. The community, which elects its own mayor and city council and has its own zip code and post office (58622), operates its own school and its own police and volunteer fire departments. Commercially, Belfield has a number of business enterprises, including Belfield Builder's Supply, Belfield First National Insurance Inc., Belfield Plumbing & Heating Inc., Bob's Oil Field Service, Cap's Food Center, at least two banks, two auto supply shops, one hair stylist, one auto repair shop, and several bars or restaurants. At least three religious denominations maintain buildings and services in Belfield, including the Belfield Lutheran Parish, St. John's Ukraine Catholic

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Church, and St. Bernard Roman Catholic Church. In addition, Belfield has its own social organizations, including a Chamber of Commerce, an American Legion group, a Masons chapter, and the Knights of Columbus. Under Commission precedent, the presence of these civic, business, religious and social indicia demonstrate that Belfield is a community deserving of its own aural transmission service. *See, e.g., Report and Order (Hannahs Mill, Milledgeville and Perry, Georgia)*, 6 FCC Rcd 3753 at ¶ 9 (1991). That the local phone book has a section entitled Belfield confirms this result. *See attached.*

The above proposal would enable Belfield to obtain its own FM broadcast service and would provide a means of entertainment and information for its residents. If the above proposal is approved, it is HPBI's intention to apply for the above allotment promptly and, once granted, to implement construction as quickly as possible. Accordingly, it is respectfully requested that the Commission issue a Notice of Proposed Rule Making as herein requested and thereafter adopt such a proposal.

Respectfully submitted,

**HIGH PLAINS  
BROADCASTING, INC.**

By:   
F. William LeBeau

HOGAN & HARTSON L.L.P.  
555 Thirteenth Street, N.W.  
Washington, DC 20004-1109  
(202) 637-5706

Its Attorneys

November 17, 1998

June 1998/99

# Bismarck • Mandan • Dickinson

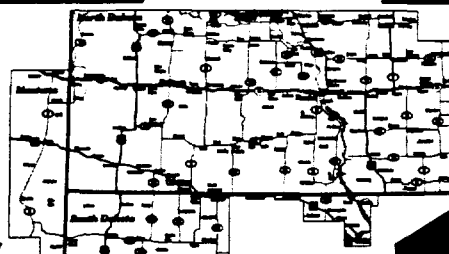
And Surrounding Badlands Area Directory

**It's Simple!**

Finally, Local Service and  
Long Distance from  
one company  
see page 2

Almont	Halliday	Northwood Estates
Amidon	Hannover	Ollie, MT
Apple Valley	Haynes	Pettibone
Arena	Hazelon	Pick City
Ashley	Hazen	Plevna, MT
Baker, MT	Hebron	Pollock, SD
Baldwin	Heil	Prairie City, SD
Beach	Hensler	Price
Belfield	Hettinger	Raleigh
Bentley	Hodges, MT	Ralph, SD
Beulah	Huff	Reeder
Big Bend	Hull	Regan
Bismarck	Hurdsfield	Regent
Bison, SD	Judson	Reva, SD
Bowdon	Kenel, SD	Rhame
Bowman	Killdeer	Richardton
Braddock	Kintyre	Riverdale
Breien	Ladd	Robinson
Bucyrus	Ladner, SD	Saint Anthony
Buffalo, SD	Lake Isabel	Scranton
Bullhead, SD	Lake Williams	Selfridge
Burnstad	Lark	Sentinel Butte
Burt	Lefor	Shadehill, SD
Camp Crook, SD	Lehr	Shields
Cannon Ball	Leith	SOON
Capitol, MT	Lemmon, SD	Sorum, SD
Carlyle, MT	Lincoln	South Heart
Carson	Linton	Stanton
Center	Lodgepole, SD	Steele
Chaseley	Ludlow, SD	Stirling
Coleharbor	Mahto, SD	Strasburg
Crystal Springs	Mandan	Streeter
Dawson	Manning	Tappen
Denhoff	Marmarth	Taylor
Dickinson	Marshall	Temvik
Dodge	McClusky	Trotters
Driscoll	McIntosh, SD	Turtle Lake
Dunn Center	McKenzie	Tuttle
Ekalaka, MT	McLaughlin, SD	Twin Butte
Elgin	Meadow, SD	Twin Buttes
Fairfield	Medina	Underwood
Falkirk	Medora	Wakpala, SD
Flasher	Menoken	Washburn
Fort Clark	Mercer	Webster, MT
Fort Rice	Mill Iron, MT	Westfield
Fort Yates	Mobridge, SD	White Butte, SD
Fryburg	Moffit	Wibaux, MT
Gascoyne	Morristown, SD	Willard, MT
Gladstone	Mott	Willson
Glen Ullin	Napoleon	Wing
Golda	New England	Winick
Goodrich	New Hradec	Woodworth
Grassy Butte	New Leipzig	Zap
Hague	New Salem	Zeeland
	North Lemp	

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BELFIELD

Z

BEACH

## BELFIELD

Including FAIRFIELD & FRYBURG

AREA CODE 701

ZIP CODES: BELFIELD 58622 - FAIRFIELD 58627 - FRYBURG 58622

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A

BARAMKO Mike 575-4976  
BARAMKO Brothers Inc 3048 Hwy 22 N Dickinson 575-5868  
BARAMKO Emil W Fairfield 575-4056  
Mike Fairfield 575-4976  
Nick & Eileen 306 2 Av NE 575-4435  
Orrest T Star Rt 1 Box 4 575-4847  
Ronald 202 3 Av NE 575-4046  
Tom 313 NE 3 St 575-4218  
BARANSKY Steve 204 NE 2 575-4445  
BARNETT James 13040 31 R St SW 575-4939  
BASARABA Don & Carolyn 13347 Maggie Rd Fairfield 575-8059  
BASARABA John 105 4 Av NE 575-4798  
Roy 2123 Hwy 85 575-4948  
BAUMGARTEN Roland & Tama 4260 127 R Av SW 575-8292  
BEAR Paw Energy 1135 Hwy 10 E 575-4750  
BECKMAN Lisa 312 Sunrise Dr 575-4022  
BEL-VU Motel 406 Hwy 10 E 575-4245

BIG Sky Well Service 3352 Hwy 85 N 575-8075  
**BILLINGS COUNTY OF**  
See Blue Government Section Page 101  
**BILLINGS County Shop**  
District No 1 Fairfield 575-4546  
District No 2 Fairfield 575-4782  
District No 3 Fryburg 575-4661  
BINSTOCK Alvin & Laurel  
4060 126 R Av SW South Heart 575-8854  
Dennis L HC 1 Box 16 575-4572  
Eugene F 12640 39 R St SW South Heart 575-4800  
Jeromey & Sharla 575-8239  
BINSTOCK Ted Farm 4061 131 R Av SW 575-4356  
BINSTOCK Vincent J 4040 126 R Av SW South Heart 575-4607

### BOB'S OIL FIELD SERVICE INC

24 Hour Answering Service  
Hwy 85 N Box 706 Belfield 575-4666  
Fax 575-4616  
If No Answer Call 227-8563  
Or 225-5264

BOCK Ronald-Judy Farm 13748 40 R St SW 575-4658  
BOLTZ Bob & Stell 12790 Hwy 10 W 575-4642  
Jared 575-4321  
Jesse Country Estates 575-4806  
Jory 575-4321  
Roger 12780 Hwy 10 W 575-4539  
BOOTS Robert RR 1 Box 10d 575-4828  
BRAUN Edward "Thumper" 501 Hwy 10 E 575-8042  
James Myron 13052 30 R St SW 575-8942  
BREDBERG Gustav T 206 6 St NE 575-8400  
BRENNAN Brian 208 3 St SW 575-8275  
Brian & Tracy 308 6 St NE 575-4345  
Wes 13068 30 R St SW 575-8637  
BRENNEN Spencer Box 126 575-8923  
BRIDGEWATER 1416 2 St NE 575-4462  
BRIESKE Doug 112 2 St NE 575-4067  
BRINSTER Finlan 12780 47 R St SW 575-4601  
BRINSTER Leslie Farm 575-4605  
BROPHY Michael 305 2 St NW 575-4615  
BROWNFIELD R C 111 NE 2 575-4471  
BUCKMAN Clarence 204 4 Av NE 575-4624  
Curt & Cindy 3690 128 R Av SW 575-8477

BELFIELD Ambulance  
Dispatcher Only  
Box 933 66 12 St W Dickinson 227-8800  
BELFIELD Area Chamber Of Commerce  
116 Main St N 575-8135  
BELFIELD Auto Supply 505 6 St NE 575-4228  
BELFIELD Builder's Supply pO box 824 101 2 Av NE 575-4904

### BELFIELD CITY OF

See Blue Government Section Page 101

### BELFIELD DAIRY QUEEN

1-94 & Hwy 85 Belfield 575-8888  
BELFIELD First National Insurance Inc  
201 Main St N 575-8178  
If No Answer Call  
John Schaniew 575-4426  
BELFIELD High School 308 3 St NE 575-4275  
BELFIELD High School Cafeteria 308 3 St NE 575-8893  
BELFIELD Lutheran Parish ALC 506 2 Av NE 575-4703  
BELFIELD Plumbing & Heating Inc 114 Main St N 575-4387  
BELFIELD Theatre 113 1 Av NW 575-8140  
BERGEN Gary Farm 575-8445  
BERGEN Casper 106 1 Av SE 575-8006  
Florence 418 Main St N 575-4303  
Joey & Rene 12921 35 R St SW 575-8822  
LoRoy 3711 127 R Av SW 575-4801

B

### AMBULANCE

911

BARNHA Hess Corp 905 Hwy 10 E 575-4226  
Barnha Answer Call  
John Griffin 677-5353  
Dr Keith Lee 225-5947  
Dr Dennis Christianson 225-2118

### HERITECH ENGINEERING

3035 St SW Belfield 575-4099  
3035 E Williston 572-4127  
HCO Pipeline Four Eyes Station Fairfield 575-8402  
HCO Pipeline Treetop Station Fryburg 575-8573  
MEAS George 575-4501  
& 413 3 St NE 575-4257  
MILAN August 575-4922  
MILAN Jerry & Jackie 102 3 St NE 575-4428  
MILAN Vic & Sharon 575-8448  
MOS Environmental Inc 995 Hwy 10 E 575-4702  
MUST David Farm 575-4930  
MUST Joseph A & Anamae 575-4923  
MUST Joseph C Farm 2243 126 R Av SW 575-4959  
Leon & Laura RR 2 575-4872  
In & Mary Fairfield 575-8024  
Randy & Jerri 604 Ryan Dr 575-4558  
R E & Shirley 209 4 St SE 575-8182  
Scott 111 3 St NE 575-4778

BREX Judy 575-4361  
Ince & Mary 105 2 Av SE 575-4153  
Clay Farm Hc 1 Box 42 575-8619  
NICK Scott 307 1 Av NE 575-4982

307 2 Av NE 872-4501  
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TECHNICAL EXHIBIT  
IN SUPPORT OF A  
PETITION FOR RULE MAKING  
TO AMEND THE FM TABLE OF ALLOTMENTS  
BELFIELD, NORTH DAKOTA

Technical Narrative

This technical narrative and associated exhibits have been prepared in support of a Petition for Rule Making to amend Section 73.202(b) by the allotment of channel 230C1 (93.9 MHz) to Belfield, North Dakota.

Proposed Change in Table of Allotments

It is requested that Section 73.202(b) be amended by the allotment of channel 230C1 to Belfield, North Dakota. Belfield is located in Stark County, North Dakota and has a 1990 U.S. Census population of 887 persons. Belfield has no local FM stations and no local AM stations. Therefore, Petitioner's proposal would be a first local FM broadcast service and first local aural broadcast service to Belfield. The proposed changes are as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Belfield, North Dakota	--	230C1

The proposed channel 230C1 reference point is located 236 km from the nearest point of the U.S.-Canadian border; therefore, coordination with Canada may be necessary.

Page 2  
Belfield, North Dakota

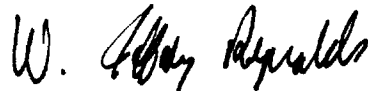
Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to use of channel 230C1 at Belfield. As shown, the reference coordinates comply with the Commission's minimum distance separation requirements contained in Section 73.207 with respect to all existing, authorized and proposed stations and allotments.

Figure 2 is a map showing the area to locate channel 230C1 at Belfield in compliance with the Commission's minimum distance separation requirements and city coverage requirements based on maximum Class C1 facilities (ERP 100 kW/HAAT 299 m). The Belfield city limits shown on Figure 2 were obtained from a map contained in the 1990 U.S. Census of Population.

Conclusion

Channel 230C1 can be allotted to Belfield, North Dakota in compliance with all applicable Commission Rules.



W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.  
240 North Washington Blvd.  
Suite 700  
Sarasota, Florida 34236

November 9, 1998

Figure 1

TECHNICAL EXHIBIT  
IN SUPPORT OF A  
PETITION FOR RULE MAKING  
TO AMEND THE FM TABLE OF ALLOTMENTS  
BELFIELD, NORTH DAKOTA

FM SEPARATION STUDY

Job Title :Proposed Belfield, ND  
km

Separation Buffer 50

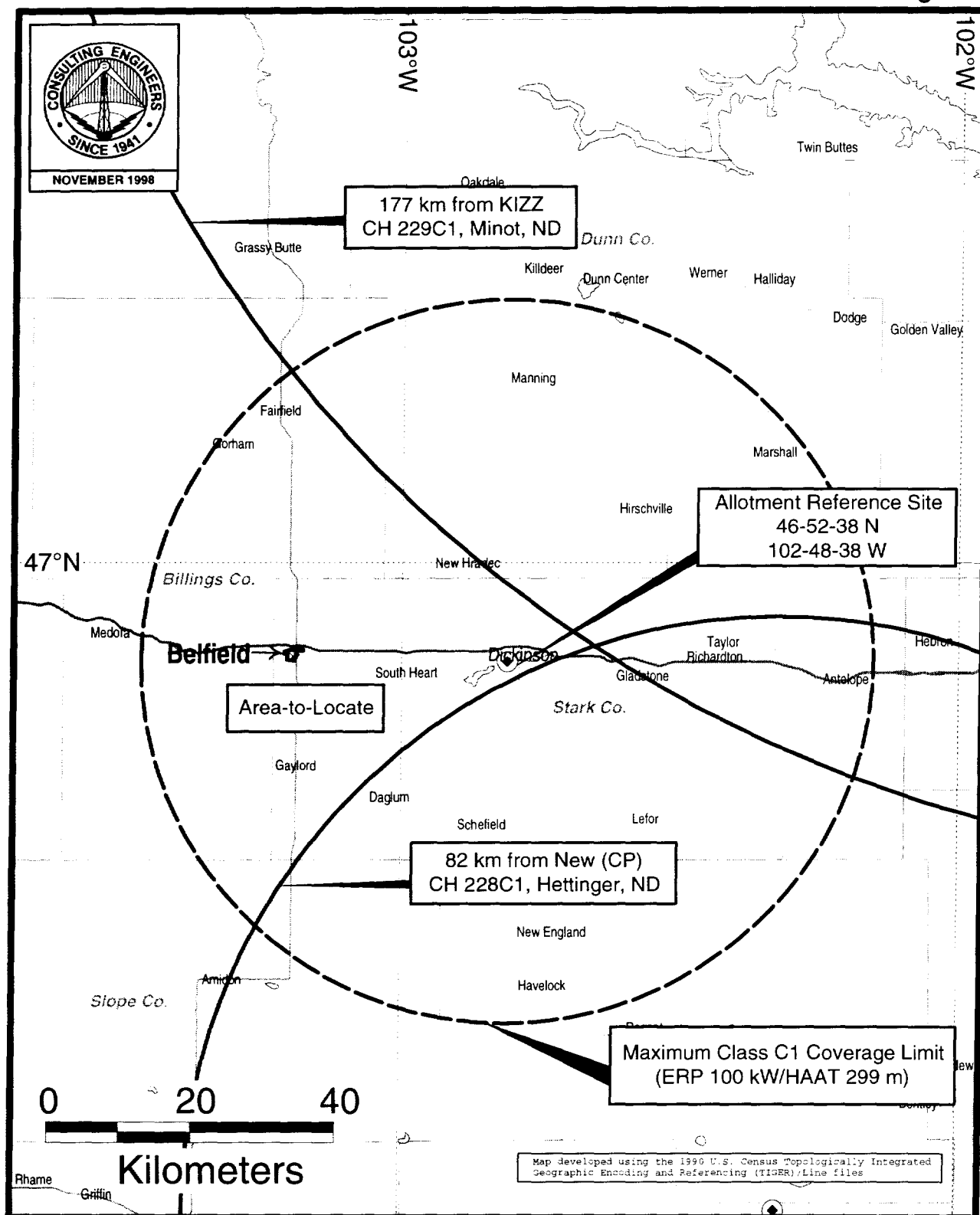
Channel 230C1 ( 93.9 MHz)

FCC DB Date : 11/07/98  
Coordinates : 46-52-38 102-48-38

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
NEW	Hettinger		228C1	100.	46-11-46	153.6	84.45	82
CP	ND	BPH960213MB	93.5	213.0	102-19-24		2.45	CLOSE
KIZZ	Minot		229C1	100.	48-12-56	36.4	186.46	177
LIC	ND	BLH830919AG	93.7	174.0	101-19-05		9.46	CLOSE
KKMK	Rapid City		230C1	100.	44-02-48	186.3	316.43	245
LIC	SD	BLH860109KB	93.9	200.0	103-14-46		71.43	CLEAR

\*\* End of separation study for channel 230C1 \*\*

Figure 2



**AREA-TO-LOCATE**  
**CHANNEL 230C1**  
**BELFIELD, NORTH DAKOTA**  
 du Treil, Lundin & Rackley, Inc., Sarasota, Florida



**DECLARATION OF MICHAEL HALL**

I, Michael Hall, declare as follows:

1. I am President of High Plains Broadcasting, Inc. ("HPBI").
2. HPBI intends to apply for a construction permit for the channel requested in the attached Petition upon adoption of the proposed rule making.
3. If awarded the construction permit, HPBI will promptly construct and operate such facilities.

I hereby declare under penalty of perjury that the statements made in this declaration are true and accurate to the best of my knowledge, information and belief.

  
Michael Hall

Executed this 16<sup>th</sup> day of November, 1998.